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11 | Counsel for Indirect Purchaser Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**16 | IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

MASTER FILE NO. 07-cv-5944 SC
MDL. NO. 1917

18 | This Document Relates to:

19 | All Indirect Purchaser Actions

20 *Electrograph Systems, Inc., et al. v. Hitachi, Ltd., et al.* No. 3:11-cv-01656-SC

23 Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,
24 No. 3:11-cv-05513-SC;

25 *Target Corp, et al. v. Chunghwa Picture Tubes, Ltd. et al.* No. 3:11-cv-05514-SC

**DECLARATION OF JENNIE LEE
ANDERSON IN SUPPORT OF
PLAINTIFFS' JOINT OPPOSITION TO
HITACHI PARTIES' MOTION FOR
SUMMARY JUDGMENT BASED UPON
THE LACK OF EVIDENCE OF
PARTICIPATION IN THE ALLEGED
CONSPIRACY**

OBAL ARGUMENT REQUESTED

ORAL ARGUMENT REQUESTED
Date: February 6, 2015

Date: February 6
Time: 10:00 a.m.

Time: 10:00 a.m.

**REDACTED VERSION OF DOCUMENT
SOUGHT TO BE SEALED**

1 *Interbond Corporation of America, d/b/a*
2 *BrandsMart USA v. Hitachi, et al., No. 3:11-*
cv-06275-SC;

3 *Office Depot, Inc. v. Hitachi, Ltd., et al., No.*
4 *3:11-cv-06276-SC;*

5 *CompuCom Systems, Inc. v. Hitachi, Ltd., et*
al., No. 3:11-cv-06396-SC

6 *Costco Wholesale Corporation v. Hitachi, Ltd.,*
et al., No. 3:11-cv-06397-SC;

7 *P.C. Richard & Son Long Island Corporation,*
et al. v. *Hitachi, Ltd., et al., No. 3:12-cv-*
02648-SC;

8 *Schultze Agency Services, LLC on behalf of*
9 *Tweeter OPCO, LLC and Tweeter Newco, LLC*
v. *Hitachi, Ltd., et al., No. 3:12-cv-02649-SC;*

10 *Tech Data Corporation, et al. v. Hitachi, Ltd.,*
et al., No. 3:13-cv-00157-SC

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1 I, Jennie Lee Anderson, declare as follows:

2 1. I am a partner at law in the law firm of Andrus Anderson LLP. I am duly admitted
3 to practice before the courts of the State of California, including the United States District Court
4 for the Northern District of California. I am an attorney of record for the Indirect Purchaser
5 Plaintiffs in the above-captioned matter. I make this declaration based on my personal knowledge
6 of the facts contained herein and if called as a witness I could and would competently testify
7 thereto.

8 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the
9 transcript of the Deposition of Patrick Barrett taken in this case on November 4, 2014, the relevant
10 portions of which I have highlighted.

11 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the
12 transcript of the Deposition of Noboru Toyama taken in this case on March 11-12, 2014, the
13 relevant portions of which I have highlighted.

14 4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the
15 transcript of the Deposition of Kazumasa Hirai taken in this case on February 4-6, 2014, the
16 relevant portions of which I have highlighted.

17 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the
18 transcript of the Deposition of Thomas Schmitt taken in this case on July 11, 2013, the relevant
19 portions of which I have highlighted.

20 6. Attached hereto as Exhibit 5 is a true and correct copy of [REDACTED]
21 [REDACTED] beginning with bates number HITDOJCIV00000048 and marked at deposition as
22 Exhibit 2667.

23 7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the
24 transcript of the Deposition of Kazuhiro Sakashita taken in this case on February 14-16, 2013, the
25 relevant portions of which I have highlighted.

26 8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the
27 transcript of the second Deposition of Lloyd Thomas ("Tom") Heiser taken in this case on March
28 18-19, 2014, the relevant portions of which I have highlighted.

1 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the
2 transcript of the Deposition of Yuichi Kumazawa taken in this case on May 29-31, 2013, the
3 relevant portions of which I have highlighted.

4 10. Attached hereto as Exhibit 9 is a true and correct copy of [REDACTED]

5 [REDACTED] beginning with bates number HEDUS-CRT00126459.

6 11. Attached hereto as Exhibit 10 is a true and correct copy of [REDACTED]

7 [REDACTED] beginning with bates number HEDUS-CRT00049395 and marked at deposition
8 as Exhibit 176.

9 12. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from the
10 transcript of the first Deposition of Lloyd Thomas Heiser taken in this case on July 3, 2012, the
11 relevant portions of which I have highlighted.

12 13. Attached hereto as Exhibit 12 is a true and correct copy of [REDACTED]

13 [REDACTED] beginning with bates number CHU00028784E and
14 marked at deposition as Exhibit 1013.

15 14. Attached hereto as Exhibit 13 is a true and correct copy of excerpts of the Korean
16 Fair Trade Commission (“KFTC”) Multi-Party Meeting Decision No. 2011-019, Case No. 2010
17 Gukka 2364 (Mar. 10, 2011).

18 15. Attached hereto as Exhibit 14 is a true and correct copy of excerpts from the
19 transcript of the Deposition of Chih Chun-Liu taken in this case on February 19-21, 2013, the
20 relevant portions of which I have highlighted.

21 16. Attached hereto as Exhibit 15 is a true and correct copy of [REDACTED]

22 [REDACTED] beginning with bates number CHU00029116E and marked at deposition as
23 Exhibit 709E.

24 17. Attached hereto as Exhibit 16 is a true and correct copy of excerpts from the
25 transcript of the Deposition of Nobuaki Ito taken in this case on May 22-24, 2013, the relevant
26 portions of which I have highlighted.

27 18. Attached hereto as Exhibit 17 is a true and correct copy of the Declaration of
28 Yasuhiko Kawashima Supplementing Hitachi, Ltd.’s and Hitachi Displays, Ltd.’s 30(b)(6)

1 Deposition, dated December 21, 2012.

2 19. Attached hereto as Exhibit 18 is a true and correct copy of [REDACTED]

3 [REDACTED] beginning with bates number HDP-CRT00025915E and marked
4 at deposition as Exhibit 1537E.

5 20. Attached hereto as Exhibit 19 is a true and correct copy of [REDACTED]

6 [REDACTED] beginning with bates number HDP- CRT00025985E and marked at
7 deposition as Exhibit 1539E.

8 21. Attached hereto as Exhibit 20 is a true and correct copy of [REDACTED]

9 [REDACTED] beginning with bates number HDP-CRT00023436E and marked at
10 deposition as Exhibit 1560E.

11 22. Attached hereto as Exhibit 21 is a true and correct copy of [REDACTED]

12 [REDACTED] beginning with bates number HDP-CRT00056186E and marked at
13 deposition as Exhibit 1567E.

14 23. Attached hereto as Exhibit 22 is a true and correct copy of [REDACTED]

15 [REDACTED] beginning with bates number HDP-CRT00026189E and marked at
16 deposition as Exhibit 1571E.

17 24. Attached hereto as Exhibit 23 is a true and correct copy of [REDACTED]

18 [REDACTED] beginning with bates number HDP-CRT00004468E and
19 marked at deposition as Exhibit 1572E.

20 25. Attached hereto as Exhibit 24 is a true and correct copy of [REDACTED]

21 [REDACTED] beginning with bates number HDP-CRT00051345E and marked at
22 deposition as Exhibit 1536E.

23 26. Attached hereto as Exhibit 25 is a true and correct copy of [REDACTED]

24 [REDACTED] beginning with bates number HDP-CRT00019426E and marked at deposition as Exhibit
25 1566E.

26 27. Attached hereto as Exhibit 26 is a true and correct copy of [REDACTED]

27 [REDACTED] beginning with bates number HDP-CRT00051354E and marked at
28 deposition as Exhibit 1540E.

1 28. Attached hereto as Exhibit 27 is a true and correct copy of [REDACTED]
2 [REDACTED] beginning with bates number HDP-CRT00023416E and marked at
3 deposition as Exhibit 1563E.

4 29. Attached hereto as Exhibit 28 is a true and correct copy of [REDACTED]
5 [REDACTED] beginning with bates number HDP-CRT00023427E and marked at
6 deposition as Exhibit 1596E.

7 30. Attached hereto as Exhibit 29 is a true and correct copy of [REDACTED]
8 [REDACTED] beginning with bates number HDP-CRT00049281E and marked at deposition
9 as Exhibit 1597E.

10 31. Attached hereto as Exhibit 30 is a true and correct copy of [REDACTED]
11 [REDACTED] beginning with bates number HDP-CRT00023603E and marked at
12 deposition as Exhibit 1552E.

13 32. Attached hereto as Exhibit 31 is a true and correct copy of [REDACTED]
14 [REDACTED] beginning with bates number HDP-CRT00049348E and marked at deposition
15 as Exhibit 1586E.

16 33. Attached hereto as Exhibit 32 is a true and correct copy of [REDACTED]
17 [REDACTED] beginning with bates number HDP-CRT00048694E and marked at deposition
18 as Exhibit 1568E.

19 34. Attached hereto as Exhibit 33 is a true and correct copy of [REDACTED]
20 [REDACTED] beginning with bates number HDP-CRT00023467 and marked at
21 deposition as Exhibit 1592.

22 35. Attached hereto as Exhibit 34 is a true and correct copy of [REDACTED]
23 [REDACTED] beginning with bates number HDP-CRT00048795E and marked at deposition
24 as Exhibit 1598E.

25 36. Attached hereto as Exhibit 35 is a true and correct copy of [REDACTED]
26 [REDACTED] beginning with bates number HDP-CRT00026180E and marked at deposition
27 as Exhibit 1570E.

28 37. Attached hereto as Exhibit 36 is a true and correct copy of [REDACTED]

1 [REDACTED] beginning with bates number HDP-CRT00026197E and marked at
2 deposition as Exhibit 1573E.

3 38. Attached hereto as Exhibit 37 is a true and correct copy of [REDACTED]
4 [REDACTED] beginning with bates number HDP-CRT00051298E and marked
5 at deposition as Exhibit 1601E.

6 39. Attached hereto as Exhibit 38 is a true and correct copy of [REDACTED]
7 [REDACTED] beginning with bates number HDP-CRT00049201E and marked
8 at deposition as Exhibit 1577E.

9 40. Attached hereto as Exhibit 39 is a true and correct copy of [REDACTED]
10 [REDACTED] beginning with bates number HDP-CRT00051340E and marked
11 at deposition as Exhibit 1605E.

12 41. Attached hereto as Exhibit 40 is a true and correct copy of [REDACTED]
13 [REDACTED] beginning with bates number HDP-CRT00026234E and marked at
14 deposition as Exhibit 1587E.

15 42. Attached hereto as Exhibit 41 is a true and correct copy of [REDACTED]
16 [REDACTED] beginning with bates number HDP-CRT00049313E and marked at
17 deposition as Exhibit 1602E.

18 43. Attached hereto as Exhibit 42 is a true and correct copy of [REDACTED]
19 [REDACTED] beginning with bates number HDP-CRT00026272E and marked at deposition
20 as Exhibit 1603E.

21 44. Attached hereto as Exhibit 43 is a true and correct copy of [REDACTED]
22 [REDACTED] beginning with bates number HDP-CRT00056188E and marked at
23 deposition as Exhibit 1604E.

24 45. Attached hereto as Exhibit 44 is a true and correct copy of [REDACTED]
25 [REDACTED] beginning with bates number CHU00028400E and marked at
26 deposition as Exhibit 1014.

27 46. Attached hereto as Exhibit 45 is a true and correct copy of [REDACTED]
28 [REDACTED] beginning with bates number CHU00028398E and marked at deposition as

1 Exhibit 1116E.

2 47. Attached hereto as Exhibit 46 is a true and correct copy of [REDACTED]

3 [REDACTED] beginning with bates number CHU00028755E and marked at deposition as
4 Exhibit 1857E.

5 48. Attached hereto as Exhibit 47 is a true and correct copy of [REDACTED]

6 [REDACTED] beginning with bates number CHU00028385E and
7 marked at deposition as Exhibit 1135E.

8 49. Attached hereto as Exhibit 48 is a true and correct copy of [REDACTED]

9 [REDACTED] beginning with bates number CHU00028377E.

10 50. Attached hereto as Exhibit 49 is a true and correct copy of [REDACTED]

11 [REDACTED] beginning with bates number HDP-CRT00049280E and marked at
12 deposition as Exhibit 1564E.

13 51. Attached hereto as Exhibit 50 is a true and correct copy of [REDACTED]

14 [REDACTED] beginning with bates number HDP-CRT00025612E and marked at
15 deposition as Exhibit 1534E.

16 52. Attached hereto as Exhibit 51 is a true and correct copy of [REDACTED]

17 [REDACTED] beginning with bates number HDP-CRT00025568E and marked
18 at deposition as Exhibit 1535E.

19 53. Attached hereto as Exhibit 52 is a true and correct copy of [REDACTED]

20 [REDACTED] beginning with bates number HDP-CRT00023360E and marked at
21 deposition as Exhibit 1581E.

22 54. Attached hereto as Exhibit 53 is a true and correct copy of [REDACTED]

23 [REDACTED]
24 beginning with bates number HDP-CRT00004416E and marked at deposition as Exhibit 1582E.

25 55. Attached hereto as Exhibit 54 is a true and correct copy of [REDACTED]

26 [REDACTED] beginning with bates number MTPD-0016566E and marked at deposition
27 as Exhibit 1407E.

28 56. Attached hereto as Exhibit 55 is a true and correct copy of excerpts from the

1 transcript of the Deposition of Hirokazu Nishiyama taken in this case on March 5-7, 2013, the
2 relevant portions of which I have highlighted.

3 57. Attached hereto as Exhibit 56 is a true and correct copy of excerpts of [REDACTED]
4 [REDACTED] beginning with bates number MTPD_SEC-0896104
5 and marked at deposition as Exhibit 1408.

6 58. Attached hereto as Exhibit 57 is a true and correct copy of [REDACTED]
7 [REDACTED] beginning with bates number HEDUS-CRT00162777 and marked at deposition
8 as Exhibit 1836.

9 59. Attached hereto as Exhibit 58 is a true and correct copy of [REDACTED]
10 [REDACTED] beginning with bates number PHLP-CRT-0077930 and marked at
11 deposition as Exhibit 1403.

12 60. Attached hereto as Exhibit 59 is a true and correct copy of [REDACTED]
13 [REDACTED] beginning with bates number MTPD-0036413E and marked at
14 deposition as Exhibit 2378E.

15 61. Attached hereto as Exhibit 60 is a true and correct copy of excerpts from the
16 transcript of the Deposition of Shinichi Iwamoto taken in this case on February 7-8, 2013, the
17 relevant portions of which I have highlighted.

18 62. Attached hereto as Exhibit 61 is a true and correct copy of [REDACTED]
19 [REDACTED] beginning with bates number MTPD-0025523E and marked at deposition
20 as Exhibit 2379E.

21 63. Attached hereto as Exhibit 62 is a true and correct copy of [REDACTED]
22 [REDACTED] beginning with bates number MTPD-0042965E and marked at deposition
23 as Exhibit 2380E.

24 64. Attached hereto as Exhibit 63 is a true and correct copy of [REDACTED]
25 [REDACTED] beginning with bates number MTPD-0041033E and marked at deposition
26 as Exhibit 2381E.

27 65. Attached hereto as Exhibit 64 is a true and correct copy of [REDACTED]
28 [REDACTED] beginning with bates number HEDUS-CRT00002107 and marked at deposition as

1 Exhibit 2634.

2 66. Attached hereto as Exhibit 65 is a true and correct copy of [REDACTED]
3 [REDACTED] beginning
4 with bates number HEDUS-CRT00160563 and marked at deposition as Exhibit 2635.

5 67. Attached hereto as Exhibit 66 is a true and correct copy of [REDACTED]
6 [REDACTED] beginning with bates number PHLP-CRT-081748 and marked
7 at deposition as Exhibit 2625.

8 68. Attached hereto as Exhibit 67 is a true and correct copy of [REDACTED]
9 [REDACTED] beginning
10 with bates number HEDUS-CRT00166472 and marked at deposition as Exhibit 2626.

11 69. Attached hereto as Exhibit 68 is a true and correct copy of [REDACTED]
12 [REDACTED] beginning with bates number HEDUS-CRT00000578.

13 70. Attached hereto as Exhibit 69 is a true and correct copy of [REDACTED]
14 [REDACTED] beginning with bates number HDP-CRT00051351 and marked at
15 deposition as Exhibit 1606E.

16 71. Attached hereto as Exhibit 70 is a true and correct copy of [REDACTED]
17 [REDACTED] beginning with bates number HDP-CRT00049270 and marked at
18 deposition as Exhibit 1580E.

19 72. Attached hereto as Exhibit 71 is a true and correct copy of [REDACTED]
20 [REDACTED] beginning with bates number HEDUS-CRT000162931 and marked at
21 deposition as Exhibit 2387.

22 73. Attached hereto as Exhibit 72 is a true and correct copy of [REDACTED]
23 [REDACTED] beginning with bates number HEDUS-CRT00026591E and
24 marked at deposition as Exhibit 2383E.

25 74. Attached hereto as Exhibit 73 is a true and correct copy of [REDACTED]
26 [REDACTED] beginning with bates number HDP-CRT00049291E and marked at
27 deposition as Exhibit 2386E.

28 75. Attached hereto as Exhibit 74 is a true and correct copy of [REDACTED]

1 [REDACTED], beginning with bates number HDP-CRT00026227E and marked at deposition
2 as Exhibit 1599E.

3 76. Attached hereto as Exhibit 75 is a true and correct copy of [REDACTED]

4 [REDACTED] beginning with bates number SDCRT-0079381E.

5 77. Attached hereto as Exhibit 76 is a true and correct copy of the Expert Report of
6 Janet S. Netz, Ph.D., dated March 15, 2014.

7 78. Attached hereto as Exhibit 77 is a true and correct copy of the Rebuttal Expert
8 Report of Janet S. Netz, Ph.D., dated September 26, 2014.

9 79. Attached hereto as Exhibit 78 is a true and correct copy of [REDACTED]
10 [REDACTED] beginning with bates number HEDUS-CRT00159841 and marked at deposition
11 as Exhibit 2620.

12 80. Attached hereto as Exhibit 79 is a true and correct copy of [REDACTED]
13 [REDACTED] beginning with bates number HEDUS-CRT00015427 and marked at deposition
14 as Exhibit 344.

15 81. Attached hereto as Exhibit 80 is a true and correct copy of excerpts from the
16 transcript of the Deposition of William Allen Whalen taken in this case on August 23, 2012, the
17 relevant portions of which I have highlighted.

18 82. Attached hereto as Exhibit 81 is a true and correct copy of [REDACTED]
19 [REDACTED] beginning with bates number HDP-
20 CRT00045422.

21 83. Attached hereto as Exhibit 82 is a true and correct copy of [REDACTED]
22 [REDACTED] beginning with bates number HDP-CRT00037583.

23 84. Attached hereto as Exhibit 83 is a true and correct copy of excerpts from the
24 transcript of the Deposition of Nobuhiko Kobayashi taken in this case on May 15-17, 2013, the
25 relevant portions of which I have highlighted.

26 85. Attached hereto as Exhibit 84 is a true and correct copy of [REDACTED]
27 [REDACTED] beginning with bates number HDP-
28 CRT00046269E.

1 86. Attached hereto as Exhibit 85 is a true and correct copy of [REDACTED]
2 [REDACTED] beginning with bates number HDP-CRT00026634E and marked at deposition as
3 Exhibit 3803E.

4 87. Attached hereto as Exhibit 86 is a true and correct copy of [REDACTED]
5 [REDACTED] beginning with bates number HDP-CRT00047882E.

6 88. Attached hereto as Exhibit 87 is a true and correct copy of [REDACTED]
7 [REDACTED]

8 beginning with bates number HEDUS-CRT00166481 and marked at deposition as Exhibit 2640.

9 89. Attached hereto as Exhibit 88 is a true and correct copy of [REDACTED]
10 [REDACTED] beginning with bates number HEDUS-CRT00001714 and
11 marked at deposition as Exhibit 2639.

12 90. Attached hereto as Exhibit 89 is a true and correct copy of [REDACTED]
13 [REDACTED] beginning with bates number HEDUS-
14 CRT00159824 and marked at deposition as Exhibit 2641.

15 91. Attached hereto as Exhibit 90 is a true and correct copy of [REDACTED]
16 [REDACTED] beginning with bates number HEDUS-CRT00164378 and marked at deposition
17 as Exhibit 2642.

18 92. Attached hereto as Exhibit 91 is a true and correct copy of [REDACTED]
19 [REDACTED] beginning with bates number HEDUS-CRT00184595 and marked at deposition
20 as Exhibit 2517.

21 93. Attached hereto as Exhibit 92 is a true and correct copy of [REDACTED]
22 [REDACTED] beginning with bates number HEDUS-CRT00164492 and marked at
23 deposition as Exhibit 2643.

24 94. Attached hereto as Exhibit 93 is a true and correct copy of [REDACTED]
25 [REDACTED] beginning with bates number HEDUS-CRT00166782 and marked at
26 deposition as Exhibit 2644.

27 95. Attached hereto as Exhibit 94 is a true and correct copy of [REDACTED]
28 [REDACTED] beginning with bates number SDCRT-0105131E and marked at deposition as

1 Exhibit 2681E.

2 96. Attached hereto as Exhibit 95 is a true and correct copy of [REDACTED]

3 [REDACTED] beginning with bates number CHU00093512.

4 97. Attached hereto as Exhibit 96 is a true and correct copy of [REDACTED]

5 [REDACTED] beginning with bates number CHU00082287_FT.

6 98. Attached hereto as Exhibit 97 is a true and correct copy of [REDACTED]

7 [REDACTED]

8 [REDACTED] beginning with bates number HDP-CRT00045426.

9 99. Attached hereto as Exhibit 98 is a true and correct copy of [REDACTED]

10 [REDACTED] beginning with bates number HDP-CRT00048189 and

11 HDP-CRT00048190.

12 100. Attached hereto as Exhibit 99 is a true and correct copy of [REDACTED]

13 [REDACTED] beginning with bates number HDP-CRT00026313E and marked at deposition
14 as Exhibit 1579E.

15 101. Attached hereto as Exhibit 100 is a true and correct copy of [REDACTED]

16 [REDACTED] beginning with bates number HDP-CRT00026077E and marked at
17 deposition as Exhibit 1578E.

18 102. Attached hereto as Exhibit 101 is a true and correct copy of [REDACTED]

19 [REDACTED] beginning with bates number HDP-CRT00026086E.

20 103. Attached hereto as Exhibit 102 is a true and correct copy of [REDACTED]

21 [REDACTED] beginning with bates number HDP-CRT00033956E.

22 104. Attached hereto as Exhibit 103 is a true and correct copy of [REDACTED]

23 [REDACTED] beginning with
24 bates number HDP-CRT00033957_CT.

25 105. Attached hereto as Exhibit 104 is a true and correct copy of [REDACTED]

26 [REDACTED] beginning with bates number HDP-CRT00052643E and marked at
27 deposition as Exhibit 3804E.

28 106. Attached hereto as Exhibit 105 is a true and correct copy of excerpts from the

1 transcript of the Deposition of Kenichi Hazuku taken in this case on June 12, 2013, the relevant
2 portions of which I have highlighted.

3 107. Attached hereto as Exhibit 106 is a true and correct copy of excerpts from the
4 transcript of the Deposition of Michael Son taken in this case on February 5-6, 2013, the relevant
5 portions of which I have highlighted.

6 I declare under penalty of perjury that the foregoing is true and correct and that this
7 declaration was executed on December 23, 2014 at San Diego, California.

8

9 Dated: December 23, 2014

/s/ *Jennie Lee Anderson*

10 Jennie Lee Anderson (203586)
11 ANDRUS ANDERSON LLP
12 155 Montgomery Street
13 San Francisco, CA 94104
14 Telephone: (415) 986-1400
Facsimile: (415) 986-1474
jennie@andrusanderson.com

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